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FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

May 05, 2016

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

ZACHARY D. FEATHERSTONE,

Plaintiff,

v.

PACIFIC NORTHWEST  
UNIVERSITY OF HEALTH  
SCIENCES,

Defendant.

No. 1:14-CV-03084-SMJ

**ORDER DENYING PENDING  
MOTIONS**

Before the Court, are the Plaintiff's Motions to Exclude Anthony Errichetti's Report and Testimony, **ECF No. 82**, for Summary Judgment (Motion for Partial Summary Judgment), **ECF No. 90**, in Limine to Exclude Evidence of Interpreter Clarifications and Other Comments, **ECF No. 181**, in Limine to Exclude Evidence of Grades on Specific Assignments and Examinations, **ECF No. 182**, in Limine to Exclude Evidence Regarding Safety Concerns, **ECF No. 183**, in Limine to Exclude Evidence Regarding the Third and Fourth Years of Medical School, **ECF No. 184**, in Limine to Exclude Evidence or Argument Regarding Future Performance, **ECF No. 185**, in Limine to Exclude Evidence Re: PNWU's Process of Obtaining DVR Funding, **ECF No. 186**, in Limine to Exclude

1 Evidence or Argument Re: The Cost of Auxiliary Aids and Services, **ECF No.**  
2 **187**, in Limine to Exclude Evidence or Argument Re: Academic Deference, **ECF**  
3 **No. 188**, in Limine to Exclude Evidence of PNWU's Technical Standards, **ECF**  
4 **189**, in Limine to Exclude Evidence and Argument Re: Concerns That Are Moot,  
5 **ECF No. 190**, in Limine to Exclude Evidence of Committee Work During  
6 Deferral Year, **ECF No. 191**, in Limine to Exclude Evidence of Applications to  
7 Other Medical Schools, **ECF No. 192**, in Limine to Exclude "Expert" Testimony  
8 of Faculty Witnesses, **ECF No. 193**, in Limine to Exclude Evidence or Argument  
9 Beyond Rescission Letter Rationales, **ECF No. 194**, and Defendant's Motions to  
10 Exclude Opinion Testimony of Todd Agan, **ECF No. 85**, to Exclude Opinion  
11 Testimony of Robert Pollard, **ECF No. 86**, to Exclude Opinion Testimony of  
12 Christopher Moreland and Michael McKee, **ECF No. 87**, for Partial Summary  
13 Judgment, **ECF No. 133**, to Oppose Motion to Amend/Correct, **ECF No. 154**, and  
14 in Limine, **ECF No. 195**. Based on representations of all Counsel on May 2,  
15 2016, and having reviewed the pleadings and the file in this matter, the Court is  
16 fully informed and **DENIES** these motions as moot with right to renew.

17 Accordingly, **IT IS HEREBY ORDERED:**

18 1. The Plaintiff's Motions, **ECF Nos. 82, 90, 181, 182, 183, 184, 185,**  
19 **186, 187, 188, 189, 190, 191, 192, 193, and 194** are **DENIED** with  
20 right to renew.

2. The Defendant's Motions, ECF Nos. 85, 86, 87, 133, 154, and 195 are **DENIED** with right to renew.

**IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and provide copies to all counsel.

**DATED** this 5<sup>th</sup> day of May 2016.

Salvador Mendoza Jr.  
SALVADOR MENDOZA, JR.  
United States District Judge